

N:\legal\Upton\_Cohen\_Slam\Sunderlin v. UCS\Stip.V.J\_091205.wpd

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

-----x  
GAYLE LEE SUNDERLIN,

Index No. 6:04-CV-1297

Plaintiff,

**STIPULATION VACATING  
~~JUDGMENT AND~~  
DISCONTINUING ACTION**

- against -

UPTON, COHEN & SLAMOWITZ; RPI  
ENTERPRISES LLC; and JASON NATHANIEL,

Defendants.

-----x  
**IT IS HEREBY STIPULATED AND AGREED, BY AND BETWEEN THE  
PARTIES HERETO, THAT THE ABOVE ENTITLED ACTION BE, AND THE SAME HEREBY  
IS DISCONTINUED WITHOUT COSTS TO EITHER PARTY AS AGAINST THE OTHER.  
THIS STIPULATION MAY BE FILED WITHOUT FURTHER NOTICE WITH THE CLERK OF  
THE COURT. A FACSIMILE SIGNATURE SHALL BE DEEMED AN ORIGINAL FOR  
PURPOSES OF FILING THIS STIPULATION WITH THE COURT.**

DATED: September 19, 2005

Gayle Sunderlin

GAYLE SUNDERLIN  
DEFENDANT

Mary D. Milone

COHEN & SLAMOWITZ, LLP  
BY: MARY D. MILONE, ESQ.  
ATTORNEYS FOR PLAINTIFF

PSTPVAC1



SO ORDERED

David E. Peebles

U.S. Magistrate Judge

Dated: 10/6/05

Syracuse, New York